

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Datta et al

Group Art Unit:

U.S. Serial No.

10/630,240

Examiner:

Filing Date:

July 30, 2003

Not Yet Known

Attorney Docket No.

For:

Rubber Composition Containing A

EKT-1001US

Silica Dispersion Agent

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97((b)(3)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and 1.97(b)(3), Applicants bring to the attention of the Examiner the documents listed on the attached Substitute Form PTO 1449 (in duplicate). As this Information Disclosure Statement is being filed before the issuance of the First Office Action no fee is believed to be due. However, if any fee is due; the Commissioner is authorized to charge Deposit Account No. 50-0462. Moreover, please credit any overpayment to Deposit Account No. 50-0462.

CERTIFICATE OF MAILING UNDER 37 C.F.R.§1.8

I certify that this document, along with any document referred to as being attached, is being deposited with the U.S. Postal Service as first class mail on October 17, 2003 under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EMA Schmittinger Name of person signing document

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Substitute PTO 1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determined that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Respectfully submitted,

Date: 10/17/03

Kevin J. Dunleavy

Customer No. 21302 KNOBLE & YOSHIDA Eight Penn Center Suite 1350 1628 John F. Kenney Blvd.

Philadelphia, PA 19103 Telephone: (215) 599-0600

Facsimile: (215) 599-0601

E-mail: kjdunleavy@patentwise.com

OCT 2 1 2003 FORM PTO-1449 Modified Sheet 1 of 1 **List of Patents and Publications** Docket No. Serial No. Cited by Applicant **EKT-1001US** 10/630,240 (Use several sheets if necessary) **Applicant** U.S. Department of Commerce Datta et al. Patent and Trademark Office Filing Date Group 7/30/03 **U.S. Patent Documents** Examiner **Document** Date Name Subclass Class Initial No. 4,431,704 AA2/14/84 428/450 Springer 251/1 R; AB 4,721,740 1/26/88 Takeshita et al. 523/215 523/200 AC5,714,533 2/3/98 Hatakeyama et al. 524/140 524/247 AD 5,853,461 12/29/98 Wagner 106/2 106/38.22 Kawazura et al. AE 6,019,832 2/1/00 106/472 106/475 AF 6,313,210 11/6/01 Lin et al. 524/492 12/11/01 AG 6,329,460 Ishikawa et al. 524/506 524/265 AH 6,399,692 6/4/02 Hogan et al. 524/494 152/151 ΑI 6,512,035 1/28/03 Hergenrother et al. 524/262 524/399 **Foreign Patent Documents** Examiner **Document** Date **Country** Translation Initial No. YES NO EP 0 890 603 A1 1/13/99 BA Europe EP 0 890 606 A1 BB 1/13/99 Europe Other Documents (Including Author, Title, Date, Pertinent Pages, Etc.)

DATE CONSIDERED

EXAMINER